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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

Case No. 2:16-cr-00265-GMN-CWH

8 Plaintiff,

9 v.

ORDER

10 DIEGO CHAVEZ GARCIA,

11 Defendant.

12 This matter is before the Court on Defendant's Motion to Modify Conditions of Release
13 (ECF No. 637), filed May 21, 2018. The Government filed its Response (ECF No. 352) on June
14 1, 2018. The Court conducted a hearing in this matter on June 13, 2018.


15 The Defendant requests the Court modify his conditions of pretrial release, in order to
16 remove GPS monitoring which includes curfew as a requirement. The Defendant further
17 represents that he has been compliant with his release conditions and has been reporting as
18 directed. ECF No. 637. The Government argues Defendant's request should be denied because
19 Defendant is a flight risk and danger to the community without such monitoring. The
20 Government also contends Defendant's prohibition from having contact with other Vagos
21 Outlaw Motorcycle Gang ("Vagos OMG") members, including members of his family that are or
22 were Vagos OMG members should remain in place. ECF No. 652.

23 On June 13, 2018 the Court found good cause to remove the location monitoring
24 condition and granted Defendant's request. With respect to the no contact requirement, the
25 Court granted the Government one (1) week to present any evidence that the Defendant's
26 brothers have had ongoing involvement with Vagos OMG, or have engaged in any type of illegal
27 activity as related to the Vagos OMG. The Government filed its Supplemental Response (ECF
28 No. 265) and indicated it had no evidence to present at this time. Thus, the Court finds good

1 cause to grant Defendant's request that he be permitted contact with his brothers. However, the
2 condition that Defendant shall have no contact with other Vagos OMG members shall remain in
3 force. Accordingly,

4 **IT IS HEREBY ORDERED** Defendant's Motion to Modify Conditions of Release
5 (ECF No. 637) is further **granted** as follows: the condition that Defendant have no contact with
6 members of the Vagos OMG is modified to permit Defendant to have contact with his brothers.

7 Dated this 22nd day of June, 2018.

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10 GEORGE FOLEY, JR.
11 UNITED STATES MAGISTRATE JUDGE
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